

Title:

Oh Cho vs. Director of Lands, 75 Phil. 890 (1946)

Facts:

- Oh Cho, a Chinese citizen, purchased a residential lot in Guinayangan, Tayabas, from the Lagdameo family in 1938.
- Oh Cho's predecessors had been in continuous, public, and adverse possession of the land since 1880.
- On January 17, 1940, Oh Cho applied for the registration of the land under the Torrens system.
- The Director of Lands opposed, arguing that Oh Cho was an alien and the land couldn't be registered to him according to the Constitution.
- The Court of First Instance of Tayabas ruled in favor of Oh Cho, prompting an appeal by the Director of Lands to the Supreme Court.

Procedural Posture:

- Initial application was filed by Oh Cho for land registration in the Court of First Instance of Tayabas.
- The Director of Lands opposed the application on the grounds of alienage and the classification of the land.
- The lower court ruled in favor of Oh Cho, disregarding the objections based on the Constitution and the nature of the land.
- The Director of Lands appealed to the Supreme Court, urging the application of the Constitution and relevant public land laws.

Issues:

1. Whether the residential lot situated in Guinayangan, Tayabas, is subject to alienation to an alien under the Philippine Constitution.
2. Whether the land falls under the category of public agricultural land under Commonwealth Act No. 141 and therefore remains unregistrable by an alien.
3. Whether the previous continuous possession of the land by Oh Cho and his predecessors bestows any potential ownership rights on an alien under the Public Land Act.

Court's Decision:

1. ****Residency and Alien Acquisition:****
 - The Court reversed the lower court's decision, stating that under Section 5, Article XII of the 1935 Philippine Constitution, aliens are prohibited from acquiring public or private

agricultural lands. The Court found that the interpretation of public lands includes residential lots as per Commonwealth Act No. 141.

2. **Classification as Agricultural Land:**

- The Court determined that the land, although residential in nature, classified as “agricultural public lands” under existing judicial definitions since it was neither timber nor mineral land.
- They reasoned that the possession by Oh Cho’s predecessors from 1880 did not qualify the land for registration as private land under Act No. 496 because it was never removed from the public domain through a formal grant or sale by the government.

3. **Predecessors Ownership and Alienation Issues:**

- The benefits of the Public Land Act could not apply to Oh Cho’s predecessors, as they failed to comply with legal conditions required to perfect a title through registration.
- Thus, any rights the predecessors might have had could not legally transfer to an alien (Oh Cho) who is constitutionally barred from acquiring such lands.

Doctrine:

- **Non-Alienation to Foreigners:** Aliens are prohibited from acquiring private or public lands classified as agricultural, including what the State regards as residential lands, under the 1935 Philippine Constitution and Commonwealth Act No. 141.
- **Agricultural Land Classification:** Any land that is not classified as mineral or timber land falls under agricultural land and thus subject to constitutional restrictions on alien ownership regardless of subsequent use.

Class Notes:

- **Constitutional Restrictions:**
- 1935 Philippine Constitution, Section 5, Article XII: Prohibits aliens from acquiring agricultural lands.
- Commonwealth Act No. 141: Classifies lands of the public domain into agricultural, timber, and mineral lands.
- **Public Land Act - Administrative and Judicial Definition:**
- “Agricultural public lands” include lands suitable for residential purposes but exclude mineral and timber lands.

Historical Background:

- The case reflects post-colonial adjustments in Philippine land law and the constitutional

nationalistic spirit emphasizing Filipino ownership of land, preventing foreign control.

- The legal doctrine decided correlates with the fervor to maintain national economic independence and land resources after gaining sovereignty from American rule post-Spanish colonization. The case shows the transformation and assertion of national policies in land ownership to conserve the nation's patrimony for Filipino citizens.